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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

I.U.O.E. LOCAL 68 ANNUITY FUND;  
I.U.O.E. LOCAL 68 WELFARE FUND;  
I.U.O.E. LOCAL 68 PENSION FUND; and  
I.U.O.E. LOCAL 68 EDUCATION FUND,

Plaintiffs,

v.

SKYSCRAPER MECHANICAL SERVICES  
OF NEW JERSEY, INC.,

Defendant.

Hon. Dennis M. Cavanaugh, U.S.D.J.

Civil Action No. 09-cv-03153

**CIVIL ACTION**

**ORDER HOLDING  
SKYSCRAPER MECHANICAL  
SERVICES OF NEW JERSEY INC.  
AND MORDECHAI LEVY  
IN CONTEMPT OF COURT**

**THIS MATTER** having come before the Court by Pitta & Giblin, LLP, (Anne Marie Esposito, Esq. appearing), attorneys for Petitioners, pursuant to a Motion to Hold Skyscraper (“Employer”) and Mordechai Levy (“Levy”), owner of Employer, in Contempt of Court pursuant to Federal Rule 45(e) for failing to comply with the Default Judgment of this Court, and the Subpoena Duces Tecum and the Court having read the supporting documents submitted herewith, as well as any papers submitted in opposition thereto; and the Court having heard arguments of counsel, if any, and the Court having granted an Order to Show Cause and Skyscraper and Levy, or any other representative of the Employer, having failed to Show Cause, for not complying with the Order of this Court, and for good and sufficient cause shown;

IT IS on this 15 day of July, 2013

**ORDERED** that Skyscraper and Levy shall be and are hereby held in contempt of Court for failing to respond to the Subpoena Duces Tecum issued on February 21, 2013; and it is further

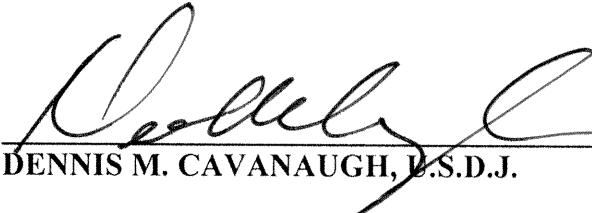
**ORDERED** that Levy shall immediately appear for a deposition; and it is further

**ORDERED** that Levy shall bring with him to the deposition documents, writings, and other items set forth in the Subpoena Duces Tecum; and it is further

**ORDERED** that if Levy fails to appear for a deposition with the required documents within ten (10) days of the certified date of personal service or mailing of this Order, a warrant for Levy's arrest shall issue out of this court without further notice; and it is further

**ORDERED** that Levy pay the sum of \$300.00 for each day that a deposition is not held; and it is further

**ORDERED** that, upon application by Petitioners at a later date, Levy and Skyscraper pay reasonable expenses and attorney's fees to Petitioners pursuant to 29 U.S.C. § 1132(g)(2)(D) and Federal Rule 45(e).

  
DENNIS M. CAVANAUGH, U.S.D.J.